

10/593465

**PATENT APPLICATION**

**IN THE UNITED STATES PATENT AND TRADEMARK OFFICE**

In re application of

Docket No: Q96905

Hitoshi AOKI, et al.

Appln. No.: National Stage Entry of PCT/JP2005/004564

Confirmation No.: Unknown

Group Art Unit: Unknown

Filed: September 19, 2006

Examiner: Unknown

For: INHIBITOR OF BLOOD GLUCOSE LEVEL ELEVATION AND INHIBITOR OF AGE  
GENERATION COMPRISING ACEROLA LEAF EXTRACT AND FOOD PRODUCT  
COMPRISING EITHER THEREOF

**INFORMATION DISCLOSURE STATEMENT**  
**UNDER 37 C.F.R. §§ 1.97 and 1.98**

**MAIL STOP AMENDMENT**

Commissioner for Patents

P.O. Box 1450

Alexandria, VA 22313-1450

Sir:

In accordance with the duty of disclosure under 37 C.F.R. § 1.56, Applicant hereby notifies the U.S. Patent and Trademark Office of the documents which are listed on the attached PTO/SB/08 A & B (modified) form and/or listed herein and which the Examiner may deem material to patentability of the claims of the above-identified application.

One copy of each of the listed documents is submitted herewith, except for the following: U.S. patents and/or U.S. patent publications; and co-pending non-provisional U.S. applications filed after June 30, 2003.

The present Information Disclosure Statement is being filed: (1) No later than three months from the application's filing date; (2) Before the mailing date of the first Office Action

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INFORMATION DISCLOSURE STATEMENT

U.S. Appln. No.: Unknown

National Stage Entry of PCT/JP2005/004564

on the merits (whichever is later); or (3) Before the mailing date of the first Office Action after filing a request for continued examination (RCE) under §1.114, and therefore, no Statement under 37 C.F.R. § 1.97(e) or fee under 37 C.F.R. § 1.17(p) is required.

In compliance with the concise explanation requirement under 37 C.F.R. § 1.98(a)(3) for foreign language documents, Applicant encloses herewith a copy of a Communication from a foreign patent office in a counterpart application citing such documents, together with an English-language version (if not already included) of at least that portion of the Communication indicating the degree of relevance found by the foreign patent office.

The submission of the listed documents is not intended as an admission that any such document constitutes prior art against the claims of the present application. Applicant does not waive any right to take any action that would be appropriate to antedate or otherwise remove any listed document as a competent reference against the claims of the present application.

The USPTO is directed and authorized to charge all required fees, except for the Issue Fee and the Publication Fee, to Deposit Account No. 19-4880. Please also credit any overpayments to said Deposit Account.

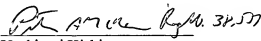
Respectfully submitted,

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WASHINGTON OFFICE

23373

CUSTOMER NUMBER

  
for Yoshinari Kishimoto  
Registration No. 47,327

Date: September 19, 2006

substitute for Form 1449 A & B/PTO  <b><u>INFORMATION DISCLOSURE</u></b> <b><u>STATEMENT BY APPLICANT</u></b> (use as many sheets as necessary)		Complete if known Application Number <b>2005/004564</b> Confirmation Number Unknown Filing Date September 19, 2006 First Named Inventor Hitoshi AOKI Art Unit Unknown Examiner Name Unknown Attorney Docket Number Q96905	
Sheet	1	of	2

U.S. PATENT DOCUMENTS					
Examiner Initials*	Cite No. <sup>1</sup>	Document Number		Publication Date MM-DD-YYYY	Name of Patentee or Applicant of Cited Document
		Number	Kind Code <sup>2</sup> (if known)		
/K.W./		US 4806365	A	02-21-1989	Todomu NAKASHIMA
		US			

FOREIGN PATENT DOCUMENTS					
Examiner Initials*	Cite No. <sup>1</sup>	Foreign Patent Document			Publication Date MM-DD-YYYY
		Country Code <sup>2</sup>	Number <sup>4</sup>	Kind Code <sup>5</sup> (if known)	
/K.W./		WO	2005/44290	A1	05-19-2005
/K.W./		JP	2005-82509	A	03-31-2005
/K.W./		JP	2003-508415	A	03-04-2003
/K.W./		JP	4-99730	A	03-31-1992
Nichirei Corp					
Nichirei Corp					
Michigan State University					
San-Ei Gen F.F.I., Inc.					

NON PATENT LITERATURE DOCUMENTS				
Examiner Initials*	Cite No. <sup>1</sup>	Include name of the author (in CAPITAL LETTERS), title of the article (when appropriate), title of the item (book, magazine, journal, serial, symposium, catalog, etc.), date, page(s), volume-issue number(s), publisher, city, and/or country where published.		
/K.W./		Saburo ITO et al., "Acerola Kajitsu no Sanchi Jukudobetsu Vitamin C Ganryo no Hikaku oyobi sono Antei-sei", Nihon Shokuhin Kogyo Gakkaishi, 1990, Vol. 37, No. 9, pages 726 to 729, table 3		
/K.W./		"Gendairyu Sukoyaka Seikatsujutsu, Kenko Junyo o Nobasu Ocha", gendau, net. 16 July, 2003 (16. 07.03) Keisai, Acerola Tea,		
/K.W./		Ryuji NAGAI et al., "Chaba Chushutsubutsu ni yoru in vivo Maillard Hanno no Yokusei to AGE-ryo no Henka", The Pharmaceutical Society of Japan Koen Yoshi, 1995, Vol. 115 <sup>th</sup> , No. Pt3, page 182		
/K.W./		Takayuki HANAMURA et al., Acerola Kajitsu ni Fukumareru Polyphenol Seibun no Kozo Kaiseki" Nihon Noigei Kagaku Taikai Koen Yoshishu, March 5, 2004, Vol. 2004 <sup>th</sup> , page 82		
/K.W./		Kaori YAMAZAKI et al., "Acerola Shushichu no Yuyo Seibun no Tansaki", The Pharmaceutical Society of Japan Koen Yoshishu, 2003, Vol. 123 <sup>rd</sup> , No. 2, page 132		
/K.W./		Hissimoto, Nezu Mariko Aymoto et al., Flavonoid levels in plants and their antioxidant activity, Revista Brasileira de Cien cias Farmaceuticas, 2003, Vol. 39 (suppl. 3), pages 180 to 182, (abstract) CA		

Examiner Signature	/Kevin Weddington/	Date Considered	06/14/2010
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\*EXAMINER: Initial if reference considered, whether or not citation is in conformance with MPEP 609. Draw line through citation if not in conformance and not considered. Include copy of this form with next communication to applicant.

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First Named Inventor	Hitoshi AOKI
Art Unit	Unknown
Examiner Name	Unknown
Attorney Docket Number	O96905

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NON PATENT LITERATURE DOCUMENTS			
Examiner Initials*	Cite No.	Include name of the author (in CAPITAL LETTERS), title of the article (when appropriate), title of the item (book, magazine, journal, serial, symposium, catalog, etc.), date, page(s), volume-issue number(s), publisher, city, and/or country where published.	Translation <sup>6</sup>
/K.W./		Tetsuya UEDA et al., "Anthocyanin Shikiso no Shinki Seiri Kiko no Kaimei- Glucose Kyushu Chien Sayo (1)", Japanese Society for Food Science and Technology Taikai Koenshu, 1999, Vol. 46 <sup>th</sup> , page 161	
/K.W./		Ichimoto Miwa et al., Inhibition of Intestinal $\alpha$ -Glucosidases and Sugar Absorption by Flavones, Chem. Pharm. Bull., 1986, Vol. 34 No. 2, pages 838 to 844	
/K.W./		Kim, Hye Young et al., Effect of flavonoids on formation advance glycation endproducts in vitro, Int. Congr. Ser. -Excerpta Med., 2002, page 511	

**Date Considered**

06/14/2010

<sup>4</sup> Applicant's unique citation designation number (optional). <sup>5</sup> See Kind Codes of USPTO Patent Documents at [www.uspto.gov](http://www.uspto.gov), MPEP 901.04 or follow the hyperlink from the title of the document to the Intranet. <sup>6</sup> Enter Office that issued the document, by the two-letter code (WIPO Standard ST. 3). <sup>7</sup> For Japanese patent documents, the indication of the year of the reign of the Emperor must precede the serial number of the patent document. <sup>8</sup> Kind of document by the appropriate symbols as indicated on the document under WIPO Standard ST. 16 if possible. <sup>9</sup> Applicant is to indicate here if English language Translation is attached.